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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,660	12/17/2001	Hiroyasu Fujiwara	1046.1264	8518

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EXAMINER

GEBRESILASSIE, KIBROM K

ART UNIT PAPER NUMBER

2128

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/015,660

Applicant(s)

FUJIWARA ET AL.

Examiner

Kibrom K. Gebresilassie

Art Unit

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/015,660.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the application filed on 17 December 2001.
2. Claims 1-15 have been examined and rejected.

Priority

3. If applicant desires to claim the benefit of a prior-filed application under 35 U.S.C. 119 (a-d), a specific reference to the prior-filed application in compliance with 37 CFR 1.78(a) must be included in the first sentence(s) of the specification following the title or in an application data sheet. For benefit claims under 35 U.S.C. 120, 121 or 365(c), the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of the applications.

If the instant application is a utility or plant application filed under 35 U.S.C. 111(a) on or after November 29, 2000, the specific reference must be submitted during the pendency of the application and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior application. If the application is a utility or plant application which entered the national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the specific reference must be submitted during the pendency of the application and within the later of four months from the date on which the national stage commenced under 35 U.S.C. 371(b) or (f) or sixteen months from the filing date of the prior application. See 37 CFR 1.78(a)(2)(ii) and (a)(5)(ii). This time period is not extendable and a failure to submit the reference required by 35 U.S.C. 119(e) and/or 120, where applicable, within this time period is considered a waiver of any benefit of such prior application(s) under 35 U.S.C. 119(e), 120, 121 and 365(c). A benefit claim filed after the required time period may be accepted if it is accompanied by a grantable petition to accept an unintentionally delayed benefit claim under 35 U.S.C. 119(e), 120, 121 and 365(c). The petition must be accompanied by (1) the reference required by 35 U.S.C. 120 or 119(e) and 37

CFR 1.78(a)(2) or (a)(5) to the prior application (unless previously submitted), (2) a surcharge under 37 CFR 1.17(t), and (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2) or (a)(5) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional. The petition should be addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If the reference to the prior application was previously submitted within the time period set forth in 37 CFR 1.78(a), but not in the first sentence(s) of the specification or an application data sheet (ADS) as required by 37 CFR 1.78(a) (e.g., if the reference was submitted in an oath or declaration or the application transmittal letter), and the information concerning the benefit claim was recognized by the Office as shown by its inclusion on the first filing receipt, the petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) are not required. Applicant is still required to submit the reference in compliance with 37 CFR 1.78(a) by filing an amendment to the first sentence(s) of the specification or an ADS. See MPEP § 201.11.

Oath/Declaration

4. The Office acknowledges receipt of a properly signed oath/declaration filed on 17 December 2001.

Drawings

5. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any

required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by “An Integration Test-Bed System for Supply Chain Management”, Shigeki Umeda, and Albert Jones, Proceeding of the 1998 Winter Simulation Conference, pp. 1377-1385, 11/12/1998.

As per Claim 1:

Umeda discloses a readable-by-computer recording medium recorded with a program read by a computer to manage data generated by a plurality of organizations on the basis of communication data transferred and received between said organizations (page 1377, under a title “Introduction” left side column lines 1-4), which executes: inputting the communication data sent from a first organization to a second organization (page 1381 left side column, under a title “3.2 Virtual Suppliers Manager” paragraph 4 lines 1-3); simulating a first intra-organization procedure executed in said first organization when sending the communication data (page 1380 left side column, the whole paragraph of the line starting with “The “chain” simulation constructs ...”); and recording first data generated by the first intra-organization procedure (page 1379 left side column under a title “The demand data driver” lines 1-4).

As per Claim 2:

Umeda discloses a readable-by-computer recording medium recorded with a program read by a computer to manage data generated by a plurality of organizations on the basis of

communication data transferred and received between said organizations (page 1377, under a title "Introduction" left side column lines 1-4), which executes: inputting the communication data sent from a first organization to a second organization (page 1381 left side column, under a title "3.2 Virtual Suppliers Manager" paragraph 4 lines 1-3); detecting reply data to the communication data sent to said first organization from said second organization (page 1380 right side column, lines 1-9); simulating an intra-organization procedure executed in said second organization when sending the communication data (page 1380 right side column, second paragraph); and recording data generated by the intra-organization procedure (page 1379 left side column under a title "The suppliers data driver" lines 1-6).

As per Claim 3:

Umeda discloses a readable-by-computer recording medium recorded with a program according to claim 1, wherein said computer further executes: detecting reply data to the communication data sent to said first organization from said second organization (page 1380 right side column, lines 1-9); simulating a second intra-organization procedure executed in said second organization when sending the communication data (page 1380 right side column, second paragraph); and recording second data generated by the second intra-organization procedure (page 1379 left side column under a title "The production data driver" lines 1-3).

As per Claim 4:

Umeda discloses a readable-by-computer recording medium recorded with a program according to claim 3, wherein said computer further executes comparing the first data with the second data, and detects difference data between the organizations (page 1381 right side column, a paragraph starting with "We have also stated..." lines 1-14)

As per Claim 5:

Umeda discloses a readable-by-computer recording medium recorded with a program according to claim 3, wherein said computer further executes coupling the first data and the second data together, and tracks the procedures executed between the organizations (page 1381 left side column, under a title "3.2 Virtual Suppliers Manager" paragraph 4).

As per Claims 6 and 11:

The limitations of claims 6 and 11 have already been discussed in the rejection of claim 1. They are therefore rejected under the same rationale.

As per Claims 7 and 12:

The limitations of claims 7 and 12 have already been discussed in the rejection of claim 2. They are therefore rejected under the same rationale.

As per Claims 8 and 13:

The limitations of claims 8 and 13 have already been discussed in the rejection of claim 3. They are therefore rejected under the same rationale.

As per Claims 9 and 14:

The limitations of claims 9 and 14 have already been discussed in the rejection of claim 4. They are therefore rejected under the same rationale.

As per Claims 10 and 15:

The limitations of claims 10 and 15 have already been discussed in the rejection of claim 5. They are therefore rejected under the same rationale.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Peter Finger, "Component-Based Frameworks for E-COMMERCE", communication of the ACM, vol. 43, no. 10, pp 61-66, October 2000.

George Archibald, Nejat Karabakal, and Paul Karlsson, "Supply Chain vs. Supply Chain: Using Simulation to Complete beyond the Four Walls", Proceeding of the 1999 Winter Simulation Conference, pp 1207-1214.

Susan Helper, and John Paul MacDuffie, "E-volving the Auto Industry: E-Commerce Effects on Consumer And Supplier Relationships", The Wharton School University of Pennsylvania, pp 1-50, April 24, 2000.

2. Any inquiring concerning this communication or earlier communication from the examiner should be directed to Kibrom K. Gebresilassie whose telephone number is (571) 272-8571. The examiner can normally be reached on Monday-Friday, 8:30 am to 4:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, Kamini shah can be reached at (571) 272-2279. The official fax number is (571) 273-8300. Any inquiring of a general nature relating to the status of this application should be directed to the group receptionist whose telephone number is (571) 272-3700.

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